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-- REMARKS --

In the Non-Final Office Action, Examiner Williams rejected pending claims 12, 16, 20, 24 and 26-28 as being anticipated by U.S. Patent No. 5,103,397 to *Ikemoto*. The Applicant responds to this rejection as subsequently recited herein, and respectfully requests reconsideration and further examination of the present application under 37 CFR § 1.112:

As to the anticipation rejection, the Applicants have thoroughly considered Examiner Williams's remarks concerning the patentability of independent claims 12, 16, 20 and 24 over *Ikemoto*. To warrant this anticipation rejection of independent claims 12, 16, 20 and 24, *Ikemoto* must show each and every limitation of independent claims 12, 16, 20 and 24 in as complete detail as is contained in independent claims 12, 16, 20 and 24. See, MPEP §2131. The Applicant respectfully traverses this anticipation rejection of independent claims 12, 16, 20 and 24, because *Ikemoto* fails to disclose and teaches away from the following limitations of independent claims 12, 16, 20 and 24:

1. "providing the second operating current to the damper to thereby control the damping force as a function of the desired force level of the damping force and the operating temperature of the damper" in as complete detail as is contained in independent claim 12;
2. "wherein said second module is further operable to provide the second operating current to the damper to thereby control the damping force as a function of the desired force level of the damping force and the operating temperature of the damper" in as complete detail as is contained in independent claim 16;

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3. “wherein said controller is operable to provide the first operating current to the damper to thereby control the damping force as a function of the desired force level of the damping force and the operating temperature of the damper” in as complete detail as is contained in independent claim 20; and

4. “wherein said controller is operable to communicate the second operating current to said damper” in as complete detail as is contained in amended independent claim 24.

Specifically, as illustrated in FIGS. 6B, 6C, 15B and 15C, *Ikemoto* discloses a determination of temperature compensated currents It1, It2, It3 and It4 in a step 410 based on desired electric currents I1, I2, I3 and I4 in a step 400. *Ikemoto* however teaches away from providing temperature compensated currents It1, It2, It3 and It4 to solenoids 78, 58, 82 and 80, respectively, of pressure control values 34, 32, 38 and 36, respectively, as required by independent claims 12, 16, 20 and 24 by teaching a mathematical transformation of temperature compensated currents It1, It2, It3 and It4 in steps 420-460 to yield final desired electric currents Iu1, Iu2, Iu3 and Iu4, which are instead provided to solenoids 78, 58, 82 and 80, respectively, of pressure control values 34, 32, 38 and 36.

Withdrawal of the rejection of independent claims 12, 16, 20 and 24 under 35 U.S.C. §102(b) as being anticipated by *Ikemoto* is therefore respectfully requested.

Claims 26-28 depend from independent claim 24. Therefore, dependent claims 26-28 include all of the elements and limitations of independent claim 24. It is therefore respectfully submitted by the Applicant that dependent claims 26-28 are allowable over *Ikemoto* for at least the same reason as set forth herein with respect to independent claim 24 being allowable over *Ikemoto*. Withdrawal of the rejection of dependent claims 26-28 under 35 U.S.C. §102(b) being anticipated by *Ikemoto* is therefore respectfully requested.

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SUMMARY

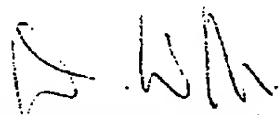
Examiner Williams' anticipation rejection of claims 12, 16, 20, 24 and 26-28 has been obviated by the remarks herein supporting an allowance of claims 12, 16, 20, 24 and 26-28 over *Ikemoto*. The Applicant respectfully submits that claims 12-34 as listed herein fully satisfy the requirements of 35 U.S.C. §§ 102, 103 and 112. In view of the foregoing amendments and remarks, favorable consideration and early passage to issue of the present application are respectfully requested. If any points remain in issue that may best be resolved through a personal or telephonic interview, Examiner Williams is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Dated: May 6, 2004

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